



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF WATER RESOURCES
William R. Snodgrass - Tennessee Tower
312 Rosa L. Parks Avenue, 11th Floor
Nashville, Tennessee 37243-1102

February 10, 2014

Mr. Frank Allen Klepper, Operator
Woodlawn Gelbvieh
e-copy: alklepper@comcast.net
2900 Horton Highway
Greeneville, TN 37745

CERTIFIED MAIL
No. 7008 1830 0004 8092 2565

**Subject: Notice of Violation
NPDES Permit No. TN0080608
Frank Allen Klepper
Greeneville, Greene County, Tennessee**

Mr. Klepper:

The Division of Water Resources is sending you this letter as a final attempt to notify you that your National Pollutant Discharge Elimination System (NPDES) Permit for your concentrated animal feeding operation (CAFO) has expired. If you fail to respond as outlined in this letter the Division intends to move forward in the enforcement process.

Our records indicate that your CAFO permit expired on November 30, 2010; therefore, your complete application should have been received at least 180 days prior to November 30, 2010. While you have initiated a permit application for your facility, that permit application remains incomplete.

Operating a CAFO without a permit is a violation of state, and in some cases federal law. The Tennessee Water Quality Control Act states that it is unlawful to construct, install, or operate a CAFO without a valid permit (see Tenn. Code Ann. § 69-3-108 (7)). State law provides for civil penalties for each day the violation (operating without a permit) occurs or continues.

A complete application (including the necessary application forms and a nutrient management plan) must be submitted to the Tennessee Department of Agriculture (TDA) within 30 days of the date of this letter. TDA will notify the division when they receive your application and they will begin reviewing it for completeness. If you have any questions about what is missing/incomplete in your application please contact Mrs. Heidi McIntyre-Wilkinson with TDA at 615-837-5492 or by E-Mail at Heidi.McIntyre-Wilkinson@tn.gov.

Application materials should be submitted by email to Heidi.McIntyre-Wilkinson@tn.gov or may be mailed to:

Heidi McIntyre-Wilkinson
Water Resources
TDA-Ellington Agricultural Center
PO Box 40627
Nashville, TN 37204

If you have questions regarding the above deadline or have ceased operation please contact Ms. Erin O'Brien at (615) 253-2245 or by E-mail at Erin.O'Brien@tn.gov.

Sincerely,

Brad C. Harris, P.E.
Manager, Land-Based Systems

cc: Permit File
Johnson City Environmental Field Office
Mrs. Heidi McIntyre-Wilkinson, TDA, Heidi.McIntyre-Wilkinson@tn.gov